

1 ALAN J. LEFEBVRE  
Nevada Bar No. 00848  
2 alefebvre@klnevada.com  
**KOLESAR & LEATHAM**  
3 400 South Rampart Boulevard, Suite 400  
Las Vegas, Nevada 89145  
4 Telephone (702) 362-7800  
Facsimile (702) 362-9472

5  
JEAN-MARIE L. ATAMIAN  
6 jatamian@mayerbrown.com  
JOHN M. CONLON  
7 jconlon@mayerbrown.com  
JASON I. KIRSCHNER  
8 jkirschner@mayerbrown.com  
**MAYER BROWN LLP**  
9 1221 Avenue of the Americas  
New York, New York 10020  
10 Telephone (212) 506-2500  
Facsimile (212) 262-1910

11 *Attorneys for Plaintiffs*

12  
13 **UNITED STATES DISTRICT COURT**  
14 **DISTRICT OF NEVADA**

15 MORGAN STANLEY HIGH YIELD  
SECURITIES INC.; MORGAN STANLEY  
16 DEAN WITTER HIGH INCOME  
ADVANTAGE TRUST; MORGAN  
17 STANLEY DEAN WITTER HIGH INCOME  
ADVANTAGE TRUST II; MORGAN  
18 STANLEY DEAN WITTER HIGH INCOME  
ADVANTAGE TRUST III; MORGAN  
19 STANLEY VARIABLE INVESTMENT  
SERIES; MORGAN STANLEY  
20 DIVERSIFIED INCOME TRUST; and  
MORGAN STANLEY SELECT  
21 DIMENSIONS INVESTMENT SERIES,

22 Plaintiffs,

23 v.

24 HANS JECKLIN, CHRISTIANE JECKLIN;  
GEORGE HAEBERLING; JOHN TIPTON;  
25 SWISS LEISURE GROUP AG; and JPC  
HOLDING AG,

26 Defendants.  
27  
28

Case No.: 2:05-cv-01364-RFB-PAL

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING DEADLINE TO  
FILE PRETRIAL ORDER, EXHIBIT  
LISTS, AND WITNESS LISTS**

1 WHEREAS, pursuant to the Court's Order dated January 22, 2018 (the "January 22, 2018  
2 Order") [ECF No. 461], the deadline for filing a Proposed Joint Pretrial Order is February 12,  
3 2018, the deadline for the submission of exhibit lists and witness lists is February 12, 2018; the  
4 deadline for filing motions *in limine* is February 20, 2018, and the deadline for filing any  
5 responses to any motion *in limine* is March 6, 2018;

6 WHEREAS, pursuant to the January 22, 2018 Order, the pretrial conference in this matter  
7 is April 5, 2018, at 10:00 a.m. in LV Courtroom 7D;

8 WHEREAS, pursuant to the January 22, 2018 Order, the deadline for the parties to file  
9 Proposed Findings of Fact and Conclusions of Law is April 23, 2018;

10 WHEREAS, pursuant to the January 22, 2018 Order, the deadline for the parties to file  
11 Trial Briefs is April 23, 2018;

12 WHEREAS, pursuant to the Joint Notice of Withdrawal of Demand for Jury Trial dated  
13 February 2, 2018 ("Jury Demand Withdrawal") [ECF No. 462], all parties have withdrawn their  
14 demand for a jury trial and consented to a bench trial of all claims pending in this matter;

15 WHEREAS, pursuant to the January 22, 2018 Order and the Jury Demand Withdrawal, a  
16 bench trial in this matter is set for April 30, 2018 at 9:30 a.m. in LV Courtroom 7D.

17 WHEREAS, the parties have been working diligently to further narrow the issues to be  
18 resolved in motions *in limine* and at trial;

19 WHEREAS, the parties require additional time to finalize the Proposed Pretrial Order and  
20 their respective exhibit lists and witness lists;

21 Based on the forgoing, Plaintiffs Morgan Stanley High Yield Securities Inc., Morgan  
22 Stanley Dean Witter High Income Advantage Trust, Morgan Stanley Dean Witter High Income  
23 Advantage Trust II, Morgan Stanley Dean Witter High Income Advantage Trust III; Morgan  
24 Stanley Variable Investment Series; Morgan Stanley Diversified Income Trust and Morgan  
25 Stanley Select Dimensions Investment Series, by and through their counsel of record, the law  
26 firms of Kolesar & Leatham, Chtd. and Mayer Brown LLP, Defendants Hans Jecklin, Christiane  
27 Jecklin, Swiss Leisure Group AG and JPC Holding AG, by and through their counsel of record,  
28 the law firm of Peterson Baker, PLLC, Defendant George Haeberling, by and through his counsel

1 of record, H1 Law Group, and Defendant John Tipton, by and through his counsel of record, the  
2 law firms of McDonald Carano LLP and Kleinbard LLC, hereby stipulate and agree, subject to  
3 the Court's approval, as follows:

4 1. The deadline for the parties to file a Proposed Pretrial Order is extended from  
5 February 12, 2018 until February 15, 2018;

6 2. The deadline for the submission of exhibit lists and witness lists is extended from  
7 February 12, 2018 until February 15, 2018;

8 3. This is the third request for an extension of time for the parties to file the Proposed  
9 Joint Pretrial order and the submission of exhibit and witness lists.

10  
11 DATED this 12<sup>th</sup> day of February, 2018.

12 KOLESAR & LEATHAM

PETERSON BAKER, PLLC

13  
14 By: 

By: /s/ Benjamin K. Reitz

15 ALAN J. LEFEBVRE, ESQ.  
16 Nevada Bar No. 0848  
17 alefebvre@klnvada.com  
18 400 South Rampart Blvd., Suite 400  
19 Las Vegas, NV 89145  
20 Telephone: 702.362.7800  
21 Facsimile: 702.362.9472

TAMARA BEATTY PETERSON, ESQ.  
Nevada Bar No. 5218  
tpeterson@petersonbaker.com  
BENJAMIN K. REITZ, ESQ.  
Nevada Bar No. 13233  
breitz@petersonbaker.com  
10001 Park Run Drive  
Las Vegas, NV 89145  
Telephone: 702.786.1001  
Facsimile: 702.786.1002

22 JEAN-MARIE L. ATAMIAN, ESQ.  
23 *Admitted Pro Hac Vice*  
24 jatamian@mayerbrown.com  
25 JOHN M. CONLON, ESQ.  
26 *Admitted Pro Hac Vice*  
27 jconlon@mayerbrown.com  
28 JASON I. KIRSCHNER, ESQ.  
*Admitted Pro Hac Vice*  
jkirschner@mayerbrown.com  
MAYER BROWN LLP  
1221 Avenue of the Americas  
New York, New York 10020  
Telephone: 212.506.2500  
Facsimile: 212.262.1910

*Attorneys for Defendants Hans Jecklin,  
Christiane Jecklin, Swiss Leisure Group  
AG, and JPC Holding AG*

*Attorney for Plaintiffs*

///

H1 LAW GROUP

MCDONALD CARANO LLP

By: /s/ Eric D. Hone  
ERIC D. HONE, ESQ.  
Nevada Bar No. 8499  
eric@h1lawgroup.com  
6671 S. Las Vegas Blvd, D-210  
Las Vegas, NV 89119  
Telephone: 702.608.3720  
Facsimile: 702.608.3759

*Attorneys for Defendant George  
Haeberling*

By: /s/ Eric J. Schreiner  
JEFFREY A. SILVESTRI, ESQ.  
Nevada Bar No. 5779  
jsilvestri@mcdonaldcarano.com  
CRAIG A. NEWBY, ESQ.  
Nevada Bar No. 8591  
cnewby@mcdonaldcarano.com  
2300 W. Sahara Avenue, Suite 1200  
Las Vegas, NV 89102  
Telephone: 702.873.4100  
Facsimile: 702.873.9966

STEVEN ENGELMYER, ESQ.  
*Admitted Pro Hac Vice*  
sengelmyer@kleinbard.com  
ERIC J. SCHREINER, ESQ.  
*Admitted Pro Hac Vice*  
ESchreiner@kleinbard.com  
KLEINBARD LLC  
One Liberty Place, 46th Floor  
1650 Market Street  
Philadelphia, PA 19103  
Telephone: 215.568.2000  
Facsimile: 215.568.0140

*Attorneys for Defendant John Tipton*

IT IS SO ORDERED.

  
\_\_\_\_\_  
RICHARD F. BOULWARE, II  
United States District Judge

Dated: February 13, 2018.

*Morgan Stanley High Yield Securities Inc., et al. v. Hans Jecklin, et al.* 2:05-cv-01364-RFB-PAL  
Stipulation and [Proposed] Order Extending Deadline to File Pretrial Order, Exhibit Lists, and Witness  
Lists